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July 16, 2020
File: SR 2864598

HOLLY LOSIGNORE
SUNCOR ENERGY PRODUCTS PARTNERSHIP
3275 REBECCA ST
OAKVILLE ON
L6L 6N5

Dear Holly Losignore,

Re: Application for a Variance from Clause 2.4.2.1 of the Liquid Fuels Handling Code, Technical Standards & Safety Act R.S.O. 2000 for 2908 YONGE ST TORONTO

Suncor has requested an extension to December 31, 2020 to remove the three underground tank systems.

Clause 2.4.2.1. of the Liquid Fuels Handling Code (LFHC) requires that where an underground storage tank is out of service for two years or more, the tank and piping must be removed from the ground.

The facility has been shut down for almost two years and the deadline to remove the tanks was on June 30, 2020. The site is located close to TTC infrastructure. Suncor needs to obtain a permit from the TTC to remove the tanks and piping and are actively working with the TTC and expect to obtain the permit by the end of 2020.

In the interim, you have indicated that:

- Product has been removed from the three underground tanks;
- All dispensers and aboveground equipment have been removed from the site;
- Tank fill pipes are secured (locked); and
- Tanks are monitored monthly for water infiltration.

in accordance with clause 2.4.1.2 of the LFHC.

Please be advised that your variance application dated June 10, 2020, has been approved.

Please be advised that this variance will not take effect until 15 days from the date of posting the decision on the environmental registry. This decision of the Director is subject to a right of appeal, under the Environmental Bill of Rights, if such an appeal is filed within 15 days from date of posting. In the event an appeal is filed, this decision of the director may be subsequently stayed, disallowed or significantly altered. Notice of an appeal will be placed on the Environmental Bill of Rights registry.

This variance is allowed under the authority of subsection 36.(3)(c) of the *Technical Standards and Safety Act, 2000*, (the "Act") and subject to such conditions as may be specified herein, being that:

- The three underground tank systems shall be removed from the ground by December 31, 2020 and Suncor shall submit an environmental assessment as required by clause 8.3.1 of the LFHC;

- Non-conformity with the conditions specified shall thereby cause the allowed variance to become null and void;
- The applicant accepts full responsibility for any and all damages resulting from the use of the thing to which the variance applies. The applicant further accepts full responsibility for any impacts to the health and safety of any person in consequence of the allowance of the variance or of non-conformity with the conditions specified. The Technical Standards and Safety Authority accepts no responsibility for any such damages or impacts;
- In the event of any claims against the Technical Standards and Safety Authority arising from allowance of the variance or non-conformity with the conditions specified, the applicant agrees to indemnify the Technical Standards and Safety Authority and agrees to hold it harmless from such claims and attendant costs;
- The variance process is subject to public access under the TSSA Access and Privacy Code (available upon request). The fact that a variance has been granted and information about any public conditions, such as a requirement to post a sign, may be released on request. Subject to law and the TSSA Access and Privacy Code, proprietary information will not be subject to release;
- The applicant shall pay the fee associated with the review of the variance; and
- A copy of the variance letter shall always be kept readily available and permanently legible in the vicinity of the appliance/equipment.

This variance only relates to the Act and regulations made thereunder and does not exempt you from compliance with other applicable regulatory requirements. The installation will be subject to an inspection to ensure compliance with the terms of the variance. Please contact Mary Ferrari at 416-768-5306 to arrange for the inspection.

Should you have any questions or require further assistance, please contact Ann-Marie Barker at 416.734.3354 or by e-mail at abarker@tssa.org. When contacting TSSA regarding this file, please refer to the Service Request number provided above.

Yours truly,



John R. Marshall
Director, Fuels Safety Program

c. Mary Ferrari, TSSA, mferrari@tssa.org